



Public Notice

Applicant:

Northeast Ohio Regional
Sewer District

Date:

Published: January 7, 2004

Expires: January 27, 2004

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District **CELRB-TD-R RE:** 97-494-0011(4) **Section:** OH 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

The Northeast Ohio Regional Sewer District, 3900 Euclid Avenue, Cleveland, Ohio 44115, has requested Department of the Army authorization to place fill in a portion of a wetland adjacent to an unnamed tributary of the Ohio Canal located at 4747 East 49th Street, Cuyahoga Heights, Cuyahoga County, Ohio 44125.

The project is being undertaken for the primary purpose of restoring drainage across the property to alleviate flooding on an adjacent upstream property. The culvert that previously conveyed the flow had become severely blocked by silt. After clearing the culvert the flows have been determined to be too great for the receiving stream potentially resulting in erosion and sedimentation problems downstream.

Fill material will be discharged to the western portion of the wetland to cover the new extended culvert and stabilize the side slopes of the valley through which this drainage flows. A total of 11723 cubic yards of soil (loam or clay loam), 1235 cubic yards of concrete, and 1251 cubic yards of #57 stone will be placed. Most of the fill will be placed at the west end of the wetland behind the culvert headwall. A total of 0.65 acres of the existing 5.4 acre wetland will be filled for pipe installation.

The new culvert will outlet to the remainder of the existing wetland. That wetland will be cleared of its near-monoculture Phragmites vegetation, and reshaped to create a variety of water depths. A berm, 80 feet wide at its base and 130 feet long, with bleed-down pipe and spillway, will be constructed within the wetland to impede water flow, provide increased flood storage capacity, and increase variation of hydrology within the wetland. Approximately 1012 cubic yards of large boulders will be used within the berm (a total of 0.16 acres will be filled for berm construction). The wetland will then be replanted with desirable native vegetation. The vegetative enhancement, habitat diversity, and protection of downstream waters implemented in the remaining 3.4 acre wetland is proposed as mitigation for project impacts.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Mark E. Gronceski, who can be contacted by calling (716) 879-4262, or by e-mail at: Mark.E.Gronceski@lrb01.usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, and should be marked to the attention of Mark E. Gronceski, or by e-mail at: Mark.E.Gronceski@lrb01.usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the

preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

for Elizabeth W. Stone
Thomas C. Switala
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 20 days from the date of issuance.

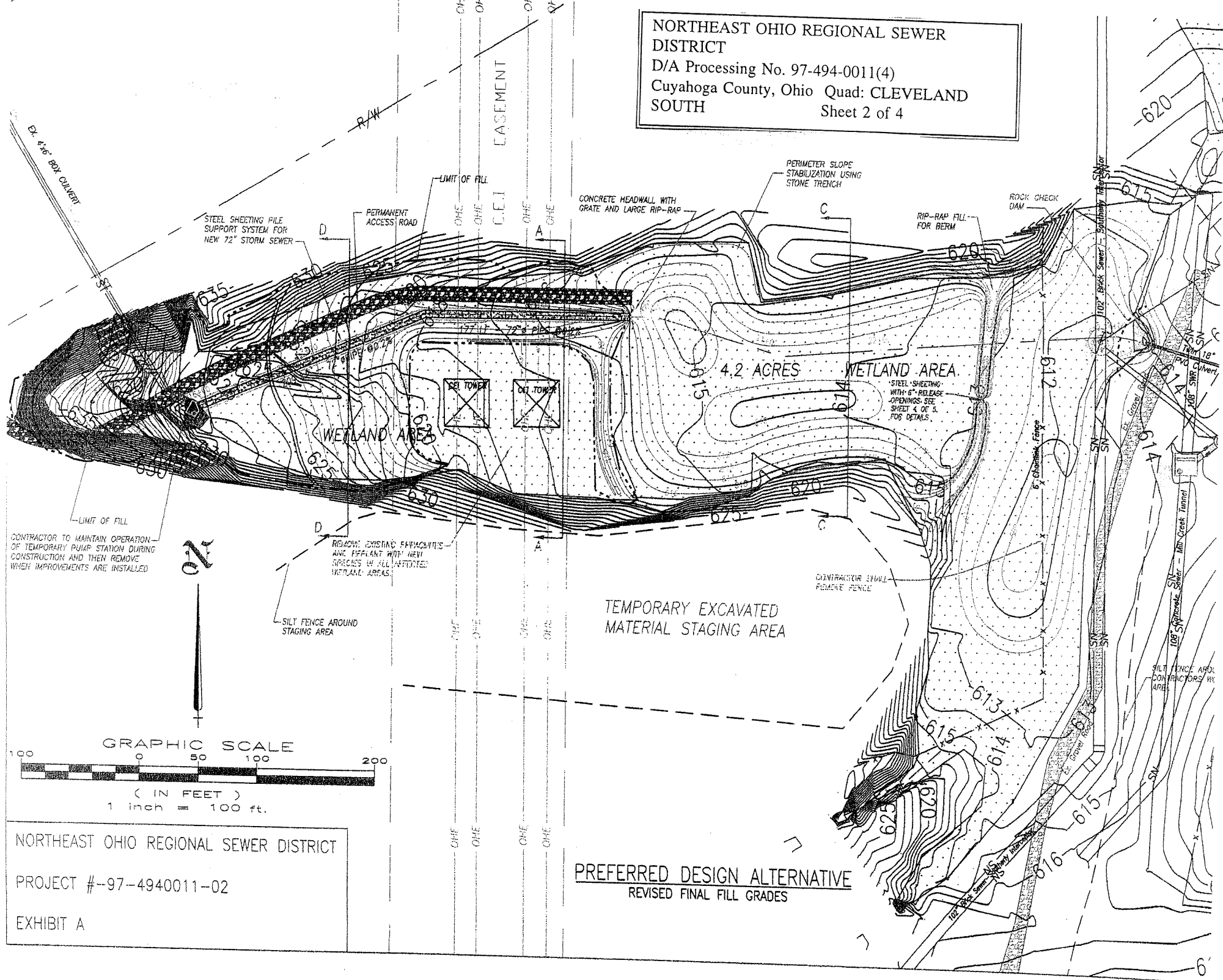


Scale: 1" = ~2445'

Source: DeLorme 3-D Topo Quads (1999)

Figure 1. General Site Location
(Northeast Ohio Regional Sewer District, E. 49th Street)
(Cleveland South, Ohio topographic quadrangle)

NORTHEAST OHIO REGIONAL SEWER
DISTRICT
D/A Processing No. 97-494-0011(4)
Cuyahoga County, Ohio Quad: CLEVELAND
SOUTH
Sheet 2 of 4

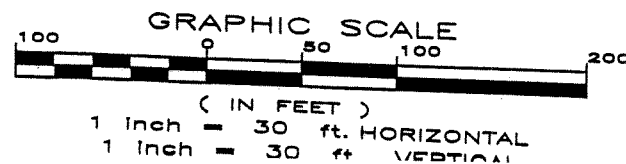
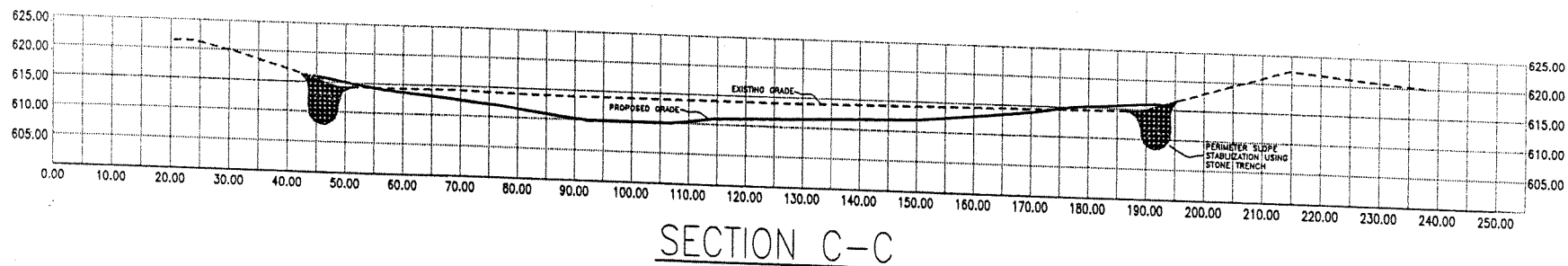
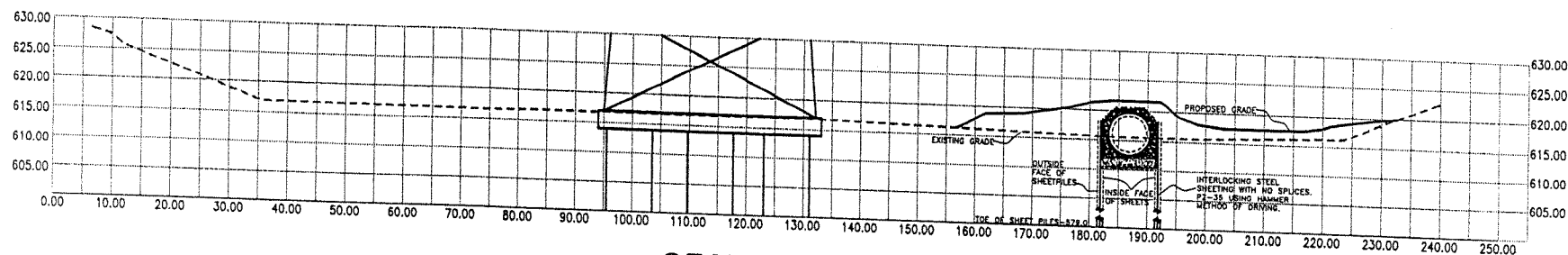


NORTHEAST OHIO REGIONAL SEWER DISTRICT

PROJECT #--97-4940011-02

EXHIBIT A

PREFERRED DESIGN ALTERNATIVE
REVISED FINAL FILL GRADES



NORTHEAST OHIO REGIONAL SEWER DISTRICT

PROJECT #-97-4940011-02

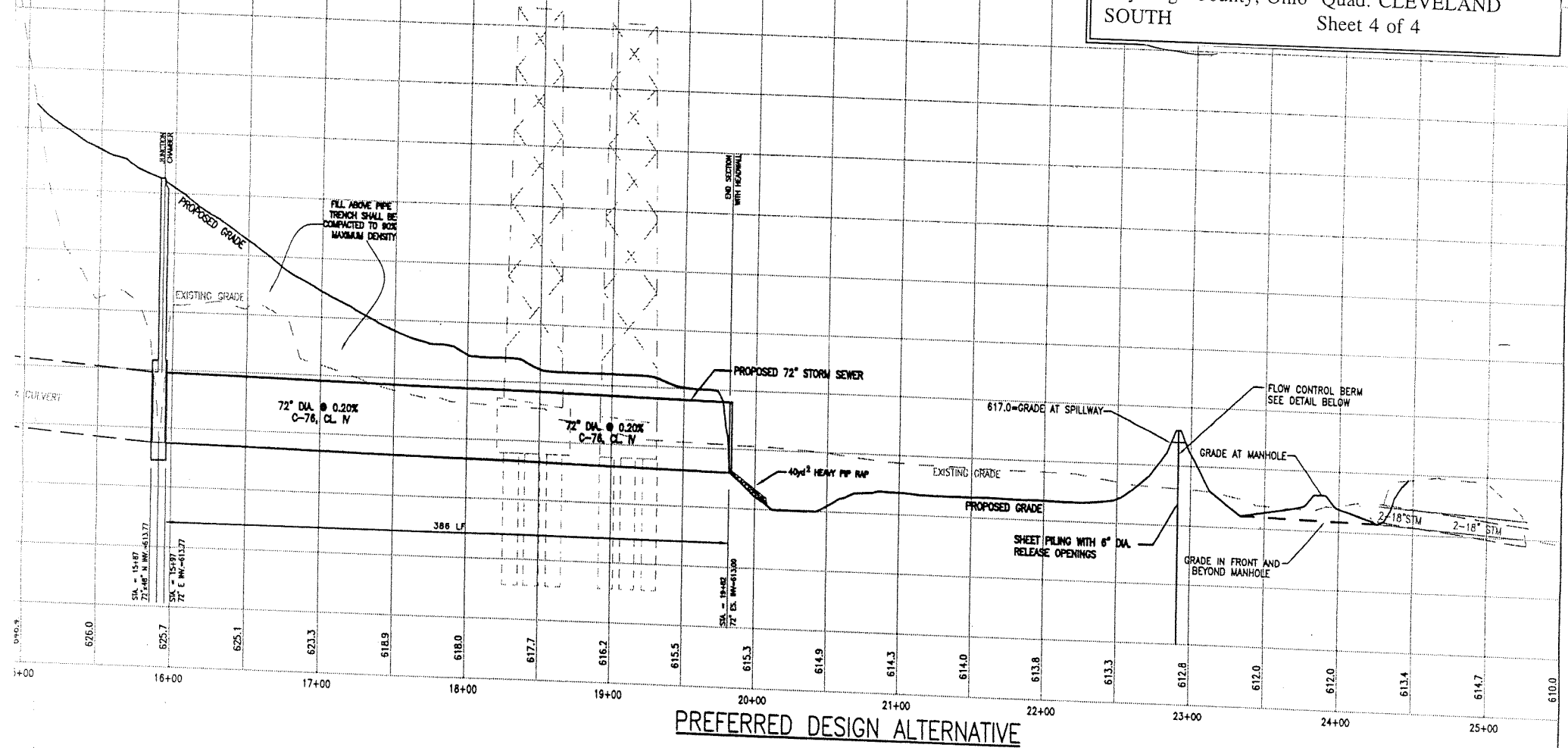
FIGURE 3. CROSS SECTIONS

NORTHEAST OHIO REGIONAL SEWER DISTRICT

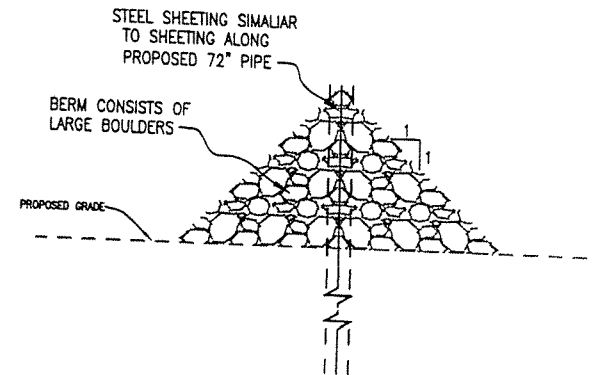
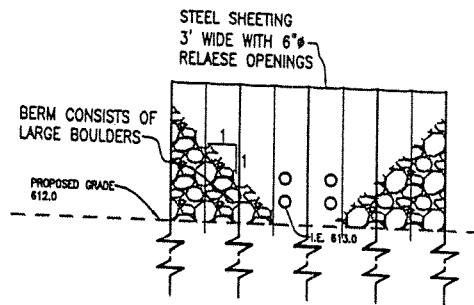
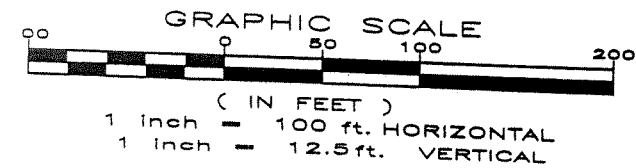
D/A Processing No. 97-494-0011(4)

Cuyahoga County, Ohio Quad: CLEVELAND SOUTH

Sheet 3 of 4



PREFERRED DESIGN ALTERNATIVE



SHEET PILING WITH 6" DIA RELEASE OPFNINGS